

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/004684

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

# PATENT COOPERATION TREATY

Corrected version

From the  
INTERNATIONAL SEARCHING AUTHORITY

REC'D 11 AUG 2005

PCT

PCT

To:

see form PCT/ISA/220

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/GB2004/004684

International filing date (day/month/year)  
08.11.2004

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC  
A01K97/06

Applicant  
FISHERMAN'S FRIEND PRODUCTS LIMITED

### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, Inventive step and Industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or Industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
Fax: +31 70 340 - 3016

Authorized Officer

Been, M

Telephone No. +31 70 340-3932



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**Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application,
- ☒ claims Nos. 55

because:

- ☐ the said international application, or the said claims Nos.      relate to the following subject matter which does not require an international preliminary examination (*specify*):
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos.      are so unclear that no meaningful opinion could be formed (*specify*):
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☒ no international search report has been established for the whole application or for said claims Nos. 55
- ☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:
  - the written form      ☐ has not been furnished.
  - ☐ does not comply with the standard
  - the computer readable form      ☐ has not been furnished
  - ☐ does not comply with the standard
- ☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.
- ☒ See separate sheet for further details

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	5,8-12,14,15,23,24,27-30,36,44,49-52
	No: Claims	1-4,6,7,13,16-22,25,26,31-35,37-43,45-48,53,54
Inventive step (IS)	Yes: Claims	5,8-12,27-30,44
	No: Claims	1-4,6,7,13-26,31-43,45-54
Industrial applicability (IA)	Yes: Claims	1-54
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**Re Item III.**

Claim 55 is unclear (Article 6 PCT) because it relies on references to the drawings and the description in respect of the technical features of the invention (see Rule 6.2(a) PCT).

**Re Item V.**

1. Reference is made to the following documents:

- D1 : US 4 796 380 A (BEESE ET AL) 10 January 1989
- D2 : US 6 209 255 B1 (MARKOWITZ PAUL) 3 April 2001
- D3: US-A-2 220 817 (HOLMES CLYDE E) 5 November 1940
- D4: US-A-2 831 289 (KLINGHOFFER MAX) 22 April 1958
- D5: US-A-2 447 105 (VOGEL LOUIS W) 17 August 1948
- D6: WO 95/24122 A (BJOERSHOL, KOLBJOERN) 14 September 1995

2. INDEPENDENT CLAIM 1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

- 2.1. Document D1 discloses (the references in parentheses applying to this document) a fishing hook holder (10) comprising a holder part (20) for receiving a hook (22), the holder part being arranged so that a hook can at least partially straddle the holder part (see figure 3).
- 2.2. All the technical features of independent claim 1 are known from this one document D1 and the subject-matter of said claim can therefore not be regarded as new (Article 33(1) and (2) PCT).
- 2.3. Moreover, documents D2 to D6 also disclose a fishing hook holder comprising all the technical features of independent claim 1. The subject-matter of this claim lacks therefore also novelty according to Article 33(1) and (2) PCT with regard to D2 to D6.

3. INDEPENDENT CLAIM 37

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 37 is not new in the sense of Article 33(2) PCT:

- 3.1. Document D2 discloses (the references in parentheses applying to this document) a receptacle (10) for a fishing hook holder (40) according to paragraph 2.1 wherein the

receptacle comprises one or more fishing hook holder sites (see figures 1, 8, 9b, 10).

- 3.2. All the technical features of independent claim 37 are also known from this one document D2 and the subject-matter of said claim can therefore not be regarded as new (Article 33(1) and (2) PCT).
- 3.3. Moreover, documents D3 and D5 also disclose a receptacle for a fishing hook holder comprising all the technical features of independent claim 37. The subject-matter of this claim lacks therefore also novelty according to Article 33(1) and (2) PCT with regard to D3 and D5.

**4. INDEPENDENT CLAIM 53**

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 53 is not new in the sense of Article 33(2) PCT.

- 4.1. Documents D1 and D2 disclose a method of making a fishing hook holder according to paragraph 2.1 comprising the step of moulding the fishing hook holder.
- 4.2. The subject-matter of said claim can therefore not be regarded as new (Article 33(1) and (2) PCT) with regard to D1 and D2.

**5. DEPENDENT CLAIMS 2-4, 6, 7, 13-26, 31-36, 38-43, 45-52, 54**

Dependent claims 2-4, 6, 7, 13-26, 31-36, 38-43, 45-52, 54 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT). The reasons therefore are that the additional features of the said claims are either directly known from document D1 (for claims 4, 6, 7, 13, 16, 18-22, 26, 54), from D2 (for claims 2, 3, 16, 26, 31-35, 39, 40, 45-48, 54), from D3 (for claims 25, 38-43), from D4 (for claims 16-22), or they concern only minor modifications which lie within the normal practice of the man skilled in the art (for claims 14, 15, 23, 24, 36, 49-52).

**6. DEPENDENT CLAIMS 5, 8-12, 27-30, 44**

The combination of the features of dependent claims 5, 8-12, 27-30, 44 are neither known from, nor rendered obvious by, the available prior art. The prior published documents cited in the International Search Report, either taken individually or in combination, do not disclose, suggest or reasonably lead the person skilled in the art to design a fishing hook holder according the combination of technical features of

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dependent claims 5, 8-12, 27-30 and a receptacle for such fishing hook holder according to the combination of technical features of dependent claim 44.